

IN THE UNITED DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

YANCE CALHOUN,
Petitioner,

CIVIL ACTION No.

v.

05-10358-RWZ

UNITED STATES OF AMERICA,
Respondent.

**MOTION TO SET DEADLINE FOR
YANCE CALHOUN'S REPLY TO GOVERNMENT'S
OPPOSITION TO HIS § 2255 MOTION**

Pursuant to Rule 5(d) of the Rules Governing Section 2255 Proceedings For the United States District Courts, the Petitioner Yance Calhoun asks this court order his reply to the Government's Response to Petitioner's § 2255 Motion to be due on May 18, 2005.

In support of this motion, counsel for Petitioner Calhoun states that, in order to adequately reply to the Government's Response, she needs time to: (a) confer with her client to whom she was recently appointed; (b) obtain records from Petitioner Calhoun; and, (c) obtain records from Petitioner Calhoun's prior proceedings before this court in United States v. Calhoun, Docket No. 93-cr-10020. In addition, counsel for Petitioner Calhoun has a vacation scheduled for next week which was arranged prior to appointment in this matter.

WHEREFORE, Petitioner Calhoun asks this court to set the date for his reply to the Government's Response for May 18, 2005.

Respectfully submitted,

YANCE CALHOUN

By his attorneys,

/s/ Jessica C. Lowney

Tracy A. Miner (BBO #547137)
Andrew N. Nathanson (BBO #548684)
Jessica C. Lowney (BBO #655758)
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
(617) 542-6000

DATED: April 14, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this day served electronically a copy of the foregoing document to:

AUSA Theodore B. Heinrich
United States Attorney's Office
One Courthouse Way
Boston, MA 02210

this 14th day of April, 2005.

/s/ Jessica C. Lowney
Jessica C. Lowney
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
(617) 542-6000